

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 1631 OF 1991

M/s. Arpita CHS Ltd. Petitioner

versus

Shri Bipin Shrimali, Chief Officer
MHADA and others Respondent.

Mr. G.S.Mottows AGP for Respondents 4 and 5.

CORAM; A.P. DESHPANDE, J.
DATED; 10TH OCTOBER, 2007

P.C.;

1. The matter is moved on a preceipe filed by respondent no.4 MHADA with a view to withdraw the amount deposited in this court by the petitioner, pursuant to the order dated 8th July 1991. The petition has been disposed of. However no order has been passed in regard to the amount deposited in the court. By an order dated 8-7-1991 the petitioner was directed to deposit Rs.50,000/- within two weeks and was further directed to pay Rs.3000/- in every three months. Liberty was also granted to respondent no,4 to withdraw the amount.

2. It is prayed by respondent no.4 that the amount deposited by the petitioner from the year 1991 till disposal of the petition be permitted to be withdrawn.

3. Despite service of notice on the petitioner, IT chose not to appear before the court on 8th October 2007. Yet again this court adjourned the matter and kept it today at 3 p.m. by directing MHADA to give fresh notice. A fresh notice has been given to the petitioner by Mhada and a copy of the notice duly served on petitioner on 9-10-2007 is placed on record. The same is taken on record and marked as 'X' for identification. In the result the prayer is granted. The respondent no.4 is permitted to withdraw the entire amount deposited by he petitioner in pursuance of the order dated 8-7-1991 till disposal of the petition.

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